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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,494	04/19/2001	Robert B. Havekost	06005/37172	8946

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EXAMINER

SWARTHOUT, BRENT

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/838,494

Applicant(s)

HAVEKOST, ROBERT B.

Examiner

Brent A Swarthout

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2,3</u> . | 6) <input type="checkbox"/> Other: ____ |

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

a. Claims 1-6,8-16, 18-33 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandelman et al. in view of Brown et al.

Sandelman discloses a method of processing an alarm within a process control system comprising receiving a device alarm message from a field device (2,3,4,5) with a first message (col.7, line 7), appending a second set of message fields containing second set of information for an enhanced alarm message (col. 14, lines 37-47), selecting a device alarm table based on second information and mapping the first message data to the appropriate alarm table (col.13, lines 34-63), except for specifically stating that the first message includes a set of message fields.

Brown discloses desirability of using Fieldbus protocol for communicating between remote units 20,28 and controller 110.

It would have been obvious to use a protocol as suggested by Brown in conjunction with an alarm system as disclosed by Sandelman, in order to allow devices made by different manufacturers to communicate over a standard bus (col.2, lines 20-24).

Regarding claim 3, Brown teaches use of standard block identification field in Fieldbus format(col.6, line 29).

Regarding claim 4, Sandelman teaches appending a message including device type (col.7, lines 9-11; col.11, lines 30-31).

Regarding claims 5-6, Sandelman teaches selection of appropriate alarm table from plural tables upon matching information (col.13, lines 33-63; col.14, lines 37-47).

Regarding claim 8, Sandelman teaches desirability of translating messages from original format (col.13, lines 37-38) to select tables, so use of a preferred language would have been obvious, since such would have been translated to a desired format.

Regarding claims 9-10, Sandelman teaches displaying alarm data (Fig. 1, elements 6,7).

Regarding claim 11, it is well-known in the prior art to utilize floating point number fields in Fieldbus alarm messages (specification, page 15, lines 17-22).

Regarding claim 29, choosing to have appending routine and matching routine stored on different memories would have been obvious to one of ordinary skill in the art, since Sandelman discloses two separate routines for appending 710 and matching 709, separate memory sources making retrieval simpler.

Regarding claim 37, choosing to use a specific value for the floating point value would have been obvious, merely depending on user preference.

2. Claims 7, 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandelman et al. in view of Brown and Yamada.

Yamada teaches desirability of identifying corrective action information, in order that problems with devices can be corrected (col. 4, lines 45-53; fig. 5).

It would have been obvious to use corrective action information as suggested by Yamada in conjunction with a system as disclosed by Sandelman and Brown, in order to allow a user to know what type of action could fix a problem.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 703-305-4383. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 703-305-4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Brent Swarthout
Brent A Swarthout
Examiner
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**